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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| First Named Applicant: Choy | Art Unit: 2172 |
| Serial No.: 09/614,369 | Examiner: Wong |
| Filed: July 12, 2000 | AM9-99-0209 |
| For: SYSTEM AND METHOD FOR ENSURING REFERENTIAL INTEGRITY FOR HETEROGENEOUSLY SCOPED REFERENCES IN AN INFORMATION MANAGEMENT SYSTEM | June 30, 2003<br>750 B STREET Suite 3120<br>San Diego, CA 92101 |

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## SUPPLEMENTAL APPEAL BRIEF

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Commissioner of Patents and Trademarks
Washington, DC 20231

Dear Sir:

In response to the Office Action dated June 19, 2003, reopening prosecution, the appeal is reinstated. The relevant contents of the original Appeal Brief are incorporated herein. It is noted that contrary to the requirements of MPEP §1208.02, prosecution was reopened over the signature of a Primary Examiner, not a Supervisory Primary Examiner.

### Table of Contents

**(1) Real Party in Interest**

See original Appeal Brief.

**(2) Related Appeals/Interferences**

See original Appeal Brief.

**(3) Status of Claims**

See original Appeal Brief.

**(4) Status of Amendments**

No amendments are outstanding.

**(5) Summary of Invention**

See original Appeal Brief.

**(6) Issues**

(a) Whether Claims 1-4 are unpatentable under 35 U.S.C. §103 as being obvious in light of Bennett et al. in view of Gusack.

(b) Whether Claims 5-14 are unpatentable under 35 U.S.C. §103 as being obvious in light of Gusack in view of Bennett et al.

**(7) Grouping of Claims**

Owing to the different bases for rejection, Claims 1-4 must be grouped apart from Claims 5-14.

**(8a) Argument**

Claims 1-4 have been rejected as being unpatentable over Bennett et al. in view of Gusack. The error in the rejection is manifest and easy to see. The rejection erroneously alleges that Bennett et al. teaches a

software layer on top of an RDBMS for causing the RDBMS to provide referential integrity for heterogenous links, relying on Figures 1B and 3H, col. 3, lines 32-51 and col. 9, line 45 to col. 10, line 11.

Bennett et al teaches no such thing. First addressing the particularly relied-upon portions, Figure 1B is nothing more than a schematic system diagram showing an RDBMS with other components, without ever indicating anything about referential integrity. Figure 3H shows only an RDBMS table without any other components (col. 4, lines 16-19, indicating that Figure 3H shows a table for the sample database system of Figure 3F), so it cannot teach an external software layer much less one that maintains referential integrity for an underlying RDBMS. Col. 3, lines 32-51 teach only that design documents, which may be used to allow a user to customize how data from the RDBMS is presented, may be "linked" to several RDBMS tables together, but where this is done, precisely, is not divulged in col. 3. Specifically, all col. 3 of Bennett et al. states is that table IDs "are stored with" fields of design documents, but it does not specify where, precisely, this storage takes place.

Moreover, regardless of where the IDs are stored, according to Bennett et al., relative to "integrity" all that implicates a design document is that IDs to each table that composes it are stored some place. But note that Claim 1 requires that the software layer not merely be a passive storage entity. Specifically, Claim 1 requires that the software layer ***causes*** the RDBMS to provide referential integrity. Since design documents in Bennett et al., which principally are for allowing a user to customize data presentation, need do no such thing for Bennett et al. to achieve its purpose, it is not surprising that Bennett et al. fails to teach or suggest the particular cooperation between software layer and RDBMS set forth in Claim 1 even if RDBMS table IDs happen to be "stored" in design documents. Such storage "causes" the RDBMS to do nothing, much less what is claimed.

Col. 9, line 45 to col. 10, line 11 cited by the examiner in fact rebuts the rejection. This section indeed mentions "referential integrity" as being important but then discusses it solely in terms of how RDBMS tables are used to achieve it internal to the RDBMS. Tellingly, no external software layers, much less "design documents" or "Paradox" specifically, are ever discussed in this section of Bennett et al. Because this section appears to be the principal detailed disclosure directed to referential integrity, nothing could more indicate the bankruptcy of the rejections.

Col. 11, line 35 begins a discussion of design documents and RDBMS tables. As intimated above, a design document is here disclosed to be nothing more than a user-customized collection of data from various RDBMS tables, the identities of which, not surprisingly, the design document is aware. But this is a far cry from what is claimed in Claim 1, namely, an entity external to an RDBMS that causes the RDBMS to do a particular thing, specifically, to maintain referential integrity.

With the above analysis in mind, it appears that the examiner has located a reference that teaches an RDBMS and external components, and that acknowledges the need for referential integrity, but that achieves referential integrity in the conventional way, i.e., using the RDBMS (as discussed in the present background), not an external software layer. That Bennett et al. fails to anticipate or suggest the invention of Claim 1 is not surprising, because Bennett et al. is not focussed on the problem of the present invention.

Additionally, the proferred suggestion to combine Bennett et al. with Gusack lacks any prior art support. Instead, it is merely a conjecture by the examiner, unaccompanied by a prior art citation. Moreover, Bennett et al. as admitted in the rejection does not envision referential integrity for heterogenous links, while no citation to Gusack has been identified suggesting that its relied-upon teachings could be applied to homogenous links such as are relied on in Bennett et al. This means that the prior art support for

the proposed combination not only is lacking on the face of the Office Action, but would appear to be lacking in fact. For this further reason, Claims 1-4 are patentable.

8(b)

Claims 5-14 have been rejected as being unpatentable over Gusack in view of Bennett et al. It appears from context that the rejection admits that Gusack does not teach the external software layer discussed above, and that Bennett et al. is being relied on for this feature. Accordingly, for the reasons the rejection is defective and Claims 5-14 are patentable.

Respectfully submitted,

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JLR:jg

## APPENDIX A - CLAIMS

See original Appeal Brief.

**ASSISTANT COMMISSIONER FOR PATENTS**
**WASHINGTON, DC 20231**

**Docket No. AM9-99-0209**
**(PATENT)**

SIR:

Transmitted herewith for filing in the Application of: CHOY Serial No.:09/614,369

Title: SYSTEM AND METHOD FOR ENSURING REFERENTIAL INTEGRITY FOR HETEROGENEOUSLY SCOPED REFERENCES IN AN INFORMATION MANAGEMENT SYSTEM

are the following:

__ sheets of formal drawings
__ Amendment
__ Amendment after Final Rejection
__ Response to Restriction Requirement
__ Letter to Drawing Review Branch
__ Certificate of Correction
X Acknowledgment postcard

__ Basic Filing Fee($740)
__ Information Disclosure Statement
__ Declaration and Power of Attorney
__ Assignment of the Invention($40)
__ Recordation Form Cover Sheet
__ Notice to File Missing Parts($130)
__ Petition for Extension of Time($110)
__ Issue Fee($1,280)
__ Notice of Appeal($320)
X Supplemental Appeal Brief in triplicate

Respectfully submitted,

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Person mailing paper/fee: Jeanne Gahagan

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